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Attorney Docket No. P24072

In re application of : Shigenobu SATO et al

Application No. : 10/642,756

Mail Stop Amendment

Group Art Unit: 3738

Filed : August 19, 2003

Examiner: Alvin J. Stewart

For : INTERVERTEBRAL SPACER

Mail Stop Amendment

Commissioner for Patents

U.S. Patent and Trademark Office

220 20th Street S.

Customer Window

Crystal Plaza Two, Lobby, Room 1B03

Arlington, VA 22202

Sir:

Transmitted herewith is an **Amendment under 37 C.F.R. 1.111** in the above-captioned application.X Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement. A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed. A Request for Extension of Time.X No additional fee is required.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 6	*20	0	x 9=	\$0.00	x 18=	\$
Indep. Claims: 1	**3	0	x 44=	\$0.00	x 88=	\$
Multiple Dependent Claims Presented			+150=	\$0.00	+300=	\$
Extension Fees for ____ Month(s)				\$0.00		\$
Total:				\$0.00	Total:	\$

* If less than 20, write 20

** If less than 3, write 3

 Please charge my Deposit Account No. 19-0089 in the amount of \$ ____.N/A A check in the amount of \$ ____ to cover the filing/extension fee is included.X The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.X Any additional filing fees required under 37 C.F.R. 1.16.X Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 C.F.R. 1.136(a)(3)).

[Signature]
 Bruce H. Bernstein
 Reg. No. 29,027

P24072.A05



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shigenobu SATO et al.

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AMENDMENT UNDER 37 C.F.R. § 1.111

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220 20th Street S.
Customer Window, Mail Stop _____
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

In response to the Office Action of September 7, 2004, which set a three-month shortened statutory period to expire on December 7, 2004, Applicants submit the following remarks for entry in the above-identified patent application and request reconsideration of the rejections and allowance of the application.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 5 of this paper.